Fredericks Kern all their interests in and to the aforementioned parcel of land, which said deed is recorded among the Land records of Frederick County, in Liber 333, Folio 238 a pertified copy of which is hereby filed and marked Exhibit No.2, and William J.Kern by deed dated January 7, 1924, conveyed his interest in the said real estate hereinbefore mentioned unto your complainant, the said Fredericks Kern, which deed is recorded among the Land Records of Frederick County in Liber Folio a certified copy of which is filed herewith.

- 4. That your Complainant Fredericka Kern is the owner of the widow's one-third interest in said property and that by virtue of the before mentioned deeds is the owner of eight-ninths of the other two-thirds of said property, and the said Una E. Kern, infant, is the owner of the one-ninth part of the two thirds interest.
- 5. That the property herein mentioned is not susceptible of division without great loss and injury to the parties thereunto entitled, and it is for the best interests and advantage of all parties concerned, and especially to the infant defendant that the said property be sold forthwith.
- 6. That Joseph C. Marshall has by his written offer, marked Exhibit No. 4, filed herewith agreed and promised to purchase the real estate hereinbefore mentioned in this Pill of Complaint for the sum of \$1450.00, which said sum your complainant believes to be a fair, just and reasonable price for said property, and your complainant believes, avers and charges that it will be for the benefit, interest and advantage that the property be sold at this time for not less than the above amount of \$1450.00.
- 7. That the said Fredericka Kern in her own right and in behalf of the said Una E. Kern, infant, has agreed to sell unto the said Joseph C. Marshall all her right, title, interest, and claim in and to the beforementioned property, and the right and title of the said Una E. Kern, infant, at and for the sum of \$1450.00, as appears by the signed agreement of the said Fredericka Kern, dated January 7,1924, and filed herewith marked Exhibit No.5.
- 1. That the offer for the purchase of the property herein described as hereinbefore reported may be accepted, and that a trustee or trustees may be appointed by your honorable Court to convey said property to purchaser by a godd and sufficient deed upon the payment of the purchase price therefor, who may, after deducting the expenses of this proceeding distribute the proceeds therefrom under the supervision and direction of your honorable Court.
- 2. And that your Complainants may have such other relief as the nature and equity of their case may require.

May it please your Honors to grant unto your Orators the writ of Subpoens in the usual form against the said Una E.Kern, of Baltimore City, State of Maryland, commanding her to appear in your honorable court either in person of by a solicitor on some day to be named therein and answer the premises and abide by and perform such decree as shall be passed herein, and as in durty bound, etc.

(Filed January 29, 1924)

TO THE LN! THEREFORE:-

Charles C. Waters

Leslie N. Coblentz

Sclicitors for Complainant.

## EXHIBIT NO. "1"

At the request of Adam Kern the following Deed is Received for Record and Recordded December 17,1887, at 10 0'clock 40 Minutes A.M.Test; - W.Irving Parsons, Clerk.

This Deed made this 13th day of December in the year Eighteen Hundred and Eighty sev en by Warner T. Grimes and Sarah E. Grimes his wife,

WITNESSETH; That for and in consideration of the sum of Three Hundred Dollars the said Warner T. Grimes does grant unto Adam Kern all that lot of land part of a tract of land called "The Mountain Tract" and all the unimproved thereon situated at the foot of